

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

GUY T. MITCHELL,)	FILED: JUNE 3, 2008
)	
Plaintiff,)	08CV3193 TG
)	JUDGE GUZMAN
v.)	No. MAGISTRATE JUDGE COLE
)	
CARBON CAPITAL II, INC.,)	Pending in the United States District Court
)	for the Southern District of New York
Defendant.)	bearing Case No. 08 Civ. 4319 (JES)

**GUY T. MITCHELL'S MOTION TO COMPEL
COMPLIANCE WITH SUBPOENAS ISSUED TO
HYATT CORPORATION AND HYATT EQUITIES, L.L.C.**

Plaintiff Guy T. Mitchell respectfully requests that this Court grant his Motion to Compel Compliance with Subpoenas requesting documents issued to nonparties Hyatt Corporation and Hyatt Equities, L.L.C. (collectively, "Hyatt"). In support of his motion, Mitchell submits the accompanying Memorandum of Law and the attached Declaration of Jonathan N. Francis and its exhibits.

For the reasons set forth in the accompanying memorandum, Plaintiff Guy T. Mitchell requests that this Court enter an order compelling Hyatt to comply with the subpoenas' requests for production of documents, as such requests have been modified in order to eliminate any undue burden on Hyatt. As detailed in the attached Declaration, despite numerous consultations by counsel to negotiate the terms of Hyatt's production, Mitchell and Hyatt are unable to reach accord.

Dated: June 3, 2008

Respectfully submitted,

GUY T. MITCHELL

By: s/ Peter S. Roeser
One of His Attorneys

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CERTIFICATE OF SERVICE

I, Peter S. Roeser, an attorney, certify that on June 3, 2008, I caused a true and complete copy of the foregoing **GUY T. MITCHELL'S MOTION TO COMPEL COMPLIANCE WITH SUBPOENAS ISSUED TO HYATT CORPORATION AND HYATT EQUITIES, L.L.C.** to be served by messenger delivery upon the following:

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